

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN J. KORESKO, V and : CIVIL ACTION
PENN MONT BENEFIT SERVICES, INC. :
: :
v. : :
: :
JEFF BLEIWEIS; RAYMOND ANKNER, CJA :
AND ASSOCIATES, INC.; and :
THE TRAVELERS LIFE AND ANNUITY CO. : NO. 04-00769

O R D E R

AND NOW, this 6th day of August, 2004, upon consideration of Plaintiff's Motion for Extension of Time to the Joint Proposed Discovery Plan and Limited Stay Pending Stipulated Protective Order, docketed in this action as Document No. 29, and The Travelers Life and Annuity Co.'s Cross Motion to Compel Discovery and Award Sanctions, docketed in this action at Document No. 35, the parties' responses, and following a telephone conference of this morning, it is hereby ORDERED that:

1. On or before Tuesday, August 10, 2004, Plaintiff is to submit to the undersigned, with a copy to all counsel, a letter setting forth which of Defendants' discovery requests are still disputed by Plaintiff notwithstanding the entry of the Stipulated Protective Order filed on this date;
2. On or before Friday, August 13, 2004, Defendants may, at their option, submit to the undersigned, with copy to all counsel, a letter responding to Plaintiff's letter of August 10, 2004, as described above;
3. On or before Friday, August 13, 2004, Plaintiff is to produce to Defendants all discovery responses, including answers to interrogatories and requested documents, which are no longer disputed;
4. Defendant's Motion for Sanctions will be ruled upon at a later time;
5. The Joint Proposed Discovery Plan docketed in this matter as Document No. 14 is extended for 60 days. Deadlines are now as set forth below:

- October 18, 2004 Close of fact discovery of the parties; i.e., no deposition of a party (or an officer or employee of a party) may be scheduled to occur after this date, and written discovery requests to parties shall be served so that the response deadline falls no later than this date.
- November 22, 2004 Disclosure of experts and expert testimony under Rule 26(a)(2) shall be completed by this date.
- November 30, 2004 Close of fact discovery of non-parties; i.e., no deposition of a non-party may be scheduled to occur after this date, and subpoenas to non-parties shall be served so that the response deadline falls no later than this date.
- December 20, 2004 Disclosure of rebuttal experts and rebuttal expert testimony under Rule 26(a)(2) shall be completed by this date.
- January 21, 2005 Close of expert discovery, i.e., no deposition of an expert may be scheduled to occur after this date.
5. Plaintiffs will produce John J. Koresko, V, for a second day of deposition, on the day subsequent to the first day, as long as Plaintiffs's Counsel feels that: (1) a good faith attempt was made to finish all the questions on the first day of deposition; and (2) the further time is not a harassment technique or unnecessary. If defendant(s) believe(s) that Plaintiff's counsel is unreasonably denying them additional deposition time beyond the first day, defendant(s) may approach the Court to request additional time for the deposition. The same applies to any deposition of Jeffrey Bleiweis.
6. Notwithstanding Rule 34(b), responses to any document requests served after September 18, 2004, regarding expert testimony shall be due within 7 days after service of the requests, without regard to Saturdays, Sundays, and Holidays as noted in Rule 6(a).

BY THE COURT:

JACOB P. HART
UNITED STATES MAGISTRATE JUDGE